

REMARKS

Claims 1-11 and 19-24 are all the claims presently pending in the application. Claims 1-11 have been amended to more particularly define the claimed invention. Claims 12-18 have been canceled and claims 19-24 have been added.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-11 stand rejected under 35 USC 112, second paragraph as being allegedly indefinite. Applicant submits that claims 1-11 have been amended to address the Examiner's concerns. Therefore, these claims are clear and not indefinite, and the Examiner is respectfully requested to withdraw this rejection.

Claims 1 and 9-11 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Roberts et al. (U. S. Pat. No. 6,231,711).

Claims 1-3 and 5-6 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Smith (U. S. Pat. No. 3,322,291).

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Roberts in view of Smith.

Claims 3, 5 and 9-11 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Roberts in view of Morain (U. S. Patent No. 3,260,390).

Claims 3-5, 7 and 9-11 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Roberts in view of Magnusson et al. (U. S. Patent No. 3,664,531).

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Roberts and Magnusson and further in view of Smith.

These rejections are respectfully traversed in view of the following discussion.

I. THE CLAIMED INVENTION

An exemplary aspect of the claimed invention (e.g., as defined by claim 1) is directed to an apparatus for laying a material sheet on a number of cylindrical bodies, including a unit for applying a material web to the bodies, and a conveyor disposed to advance the cylindrical

bodies in a longitudinal direction thereof, to, past and away from the unit.

Importantly, the conveyor includes a first section disposed to displace the cylindrical bodies in their longitudinal direction up to connecting with an end of a preceding body, and a second section which is connected to the first second and operates independent of the first section, and is disposed to positively rotate the cylindrical bodies about their longitudinal axis and displace the cylindrical bodies in the direction of their longitudinal axis during the applying of the material web, with a desired spacing between edges of the applied material web (Application Figure 1; page 7, lines 10-12).

II. THE ALLEGED PRIOR ART REFERENCES

A. Roberts

The Examiner alleges that Roberts teaches the claimed invention of claims 1 and 9-11. Applicant would submit, however, that Roberts does not teach or suggest each and every element of the claimed invention.

In particular, nowhere does Roberts teach or suggest "*a conveyor disposed to advance the cylindrical bodies in a longitudinal direction thereof, to, past and away from said unit, the conveyor comprising: a first section disposed to displace the cylindrical bodies in their longitudinal direction up to connecting with an end of a preceding body; and a second section which is connected to said first second and operates independent of said first section, and is disposed to positively rotate the cylindrical bodies about their longitudinal axis and displace the cylindrical bodies in the direction of their longitudinal axis during said applying of the material web, with a desired spacing between edges of the applied material web*", as recited in claim 1 (Application at Figures 10 and 12; page 27, line 24-page 29, line 8).

Clearly, Roberts does not teach or suggest these novel features.

Indeed, Roberts simply discloses an apparatus for making paint roller covers. In particular, the Examiner attempts to rely on Figure 6 to support his position. However, nowhere in Figure 6 or anywhere else does Roberts teach or suggest a conveyor which includes a first section disposed to displace the cylindrical bodies in their longitudinal direction up to connecting with an end of a preceding body, and a second section which is connected to the first second and operates independent of the first section, and is disposed to

positively rotate the cylindrical bodies about their longitudinal axis and displace the cylindrical bodies in the direction of their longitudinal axis during the applying of the material web, with a desired spacing between edges of the applied material web.

Therefore, Applicant would submit that Roberts clearly does not teach or suggest each and every element of the claimed invention. Therefore, the Examiner is respectfully requested to withdraw this rejection.

B Smith

The Examiner alleges that Smith teaches the claimed invention of claims 1-3 and 5-6, and that Robert would have been combined with Smith to form the invention of claim 2. Applicant would submit, however, that Smith does not teach or suggest each and every element of the claimed invention.

In particular, nowhere does Smith teach or suggest " *a conveyor disposed to advance the cylindrical bodies in a longitudinal direction thereof, to, past and away from said unit, the conveyor comprising: a first section disposed to displace the cylindrical bodies in their longitudinal direction up to connecting with an end of a preceding body; and a second section which is connected to said first second and operates independent of said first section, and is disposed to positively rotate the cylindrical bodies about their longitudinal axis and displace the cylindrical bodies in the direction of their longitudinal axis during said applying of the material web, with a desired spacing between edges of the applied material web*", as recited in claim 1 (Application at Figures 10 and 12; page 27, line 24-page 29, line 8).

Clearly, Smith does not teach or suggest these novel features.

Indeed, Smith simply discloses a pipe handling conveyor 28 which includes a base 30 including a pair of side rails 32 (Smith at col. 2, lines 60-64). However, nowhere in Figures 1-6, 8 and 12 to support his position. However, nowhere in these drawings or anywhere else does Smith teach or suggest a conveyor which includes a first section disposed to displace the cylindrical bodies in their longitudinal direction up to connecting with an end of a preceding body, and a second section which is connected to the first second and operates independent of the first section, and is disposed to positively rotate the cylindrical bodies about their longitudinal axis and displace the cylindrical bodies in the direction of their longitudinal axis

during the applying of the material web, with a desired spacing between edges of the applied material web.

Therefore, Applicant would submit that Smith clearly does not teach or suggest each and every element of the claimed invention. Therefore, the Examiner is respectfully requested to withdraw this rejection.

C. Morain and Magnusson

The Examiner alleges that Roberts would have been combined with Morain to form the invention of claims 3, 5 and 9-11, with Magnusson to form the invention of claims 3-5, 7 and 9-11, and with Magnusson and Smith to form the invention of claim 8. Applicant submits, however, that these alleged references would not have been combined and even if combined, the combination would not teach or suggest each and every feature of the claimed invention.

In particular, Applicant submits that these alleged references are completely unrelated, and no person of ordinary skill in the art would have considered combining these disparate references, absent impermissible hindsight. Therefore, Applicant respectfully submits that these disparate references would not have been combined by one of ordinary skill in the art.

Moreover, neither Roberts, nor Smith, nor Morain, nor Magnusson, nor any alleged combination thereof teach or suggest "a conveyor disposed to advance the cylindrical bodies in a longitudinal direction thereof, to, past and away from said unit, the conveyor comprising: a first section disposed to displace the cylindrical bodies in their longitudinal direction up to connecting with an end of a preceding body; and a second section which is connected to said first second and operates independent of said first section, and is disposed to positively rotate the cylindrical bodies about their longitudinal axis and displace the cylindrical bodies in the direction of their longitudinal axis during said applying of the material web, with a desired spacing between edges of the applied material web", as recited in claim 1 (Application at Figures 10 and 12; page 27, line 24-page 29, line 8).

Clearly, Morain does not teach or suggest these novel features.

Indeed, Morain simply discloses a pipe conveyor for wrapping machines. The conveyor includes continuous shafts 17 and shafts 13 (Morain at col. 2, lines 2-25; Figure 2). However, nowhere in col. 2 or Figure 2 or anywhere else does Morain teach or suggest a

conveyor which includes a first section disposed to displace the cylindrical bodies in their longitudinal direction up to connecting with an end of a preceding body, and a second section which is connected to the first second and operates independent of the first section, and is disposed to positively rotate the cylindrical bodies about their longitudinal axis and displace the cylindrical bodies in the direction of their longitudinal axis during the applying of the material web, with a desired spacing between edges of the applied material web.

Likewise, Magnusson does not teach or suggest these features.

In fact, Magnusson simply discloses a device for imparting a rotational and longitudinal movement to tubes. The device includes a shaft 3, pulleys or rollers 6, and pulley belt 4 (Magnusson at col. 1, lines 33-56). However, nowhere does Magnusson teach or suggest a conveyor which includes a first section disposed to displace the cylindrical bodies in their longitudinal direction up to connecting with an end of a preceding body, and a second section which is connected to the first second and operates independent of the first section, and is disposed to positively rotate the cylindrical bodies about their longitudinal axis and displace the cylindrical bodies in the direction of their longitudinal axis during the applying of the material web, with a desired spacing between edges of the applied material web.

Therefore, neither Morain, nor Magnusson make up for the deficiencies in Roberts.

In short, nowhere does the prior art teach or suggest an apparatus having a conveyor with at least two sections independent of each other so that it will be possible to control the spacing between the edges the applied material web. In an exemplary aspect, he first section, for example, may include six pairs of conveyor wheels 11,12 permitting adjustment and regulation of the speed with which the sleeves are moved in axial direction and the second section includes six conveyor wheel pairs 23,24 being independent of the six pairs 11,12 in the first section. This may allow for adjustment of the speed with which the sleeves in axial direction after or during application of the web material and thereby adjustment of the spacing between the edges of the material web. Increased speed may increase the spacing and vice versa.

Therefore, Applicant would submit that these alleged references would not have been combined and even if combined, the combination would not teach or suggest each and every feature of the claimed invention. Therefore, the Examiner is respectfully requested to

withdraw this rejection.

III. FORMAL MATTERS AND CONCLUSION

The Examiner objects to the drawings as not showing that the brackets 19, 20 are "interconnected". However, Applicant notes that the drawings clearly show brackets 25, 26 (e.g., similar to brackets 19, 20) may be interconnected via rod 27 (Application at page 7, lines 3-5). Therefore, Applicant respectfully submits that one of ordinary skill in the art would readily understand how the brackets 19, 20 are interconnected via the intermediate section 21.

The Examiner also objects to the drawings as not including reference characters 17, 21 and A. Applicant notes the reference characters 21 and A are included in Figure 1 (e.g., near reference characters 16 and 1). Submitted herewith are a corrected drawing sheet for Figure 1 which clarify the reference character A, and a corrected drawing sheet for Figure 2 which includes the reference character 17. In view of the foregoing, the Examiner is respectfully requested to withdraw this objection.

Applicant notes that claims 5 and 12 have been amended to address the Examiner's objection thereto.

In view of the foregoing, Applicant submits that claims 1-15, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Serial No. 10/551,468 .
Docket No. 2582LN.ch

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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date:

12/16/08

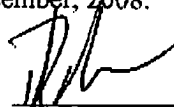


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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that I am filing this Amendment by facsimile with the United States Patent and Trademark Office to Examiner Christopher T. Schatz, Group Art Unit 1791 at fax number (571) 273-8300 this 16th day of December, 2008.



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